

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

A. Charles Peruto, Jr.
2101 Pine Street
Philadelphia, PA 19103

Plaintiff,

v.

Hoo In Kim
c/o IPC Television, LLC
6007 Sepulveda Blvd.
Van Nuys, CA 91411

And

Eli Holzman
c/o IPC Television, LLC
6007 Sepulveda Blvd.
Van Nuys, CA 91411

And

Patrick Reardon
527 Grand Street Apt. 6F
Brooklyn, NY 11211-4391

And

Josh Miller
c/o Amazon Alternative, LLC
1620 26th Street
Suite 4000N
Santa Monica, CA 90404-4060

And

IPC Television, LLC
6007 Sepulveda Blvd.
Van Nuys, CA 91411

And

Amazon Alternative, LLC
1620 26th Street
Suite 4000N
Santa Monica, CA 90404-4060

And

No. 2:18-cv-04468-PBT

AMENDED REPLEVIN COMPLAINT

Roc Nation, LLC	:
c/o Corporate Creations Network, Inc.	:
1001 State Street, No. 1400	:
Erie, PA 16501	:
	:
	:
Defendants.	:

INTRODUCTION

1. Plaintiff A. Charles Peruto, Jr. (Peruto) is an attorney and represents the Honorable Genece Brinkley.

2. Plaintiff files this Amended Complaint in Replevin pursuant to FRCP 15 due to the defendants' Notice of Removal and associated documents, judicial admissions, and affidavits, to (according to the defendants' admissions and representations) identify the proper defendants.

3. On 30 May, 2018, the defendants, and in particular defendant Hoo In Kim, on behalf of all defendants and employed by IPC Television, LLC (IPC), interviewed Peruto for an upcoming docu-series slated for 2019 release by the Amazon and Roc Nation defendants.

4. This docu-series is reported to address, at least in part, Robert Rihmeek Williams (Meek Mill) and the criminal justice system.

5. After the interview concluded and Peruto instructed the defendants' personnel to go off the record, the defendants' personnel stated that they were off the record, and pointed the camera towards the wall.

6. Unbeknownst to Peruto, the defendants' personnel lied, and continued to use a device to intercept record the audio (and perhaps video) of the off the record conversation.

7. Defendants also misled Peruto as to the true intent of, and entities involved with, the interview.

8. Peruto specifically revoked any consent or permission that was given for the on the record interview once that interview was concluded and the parties went off the record.

9. Peruto had a justifiable expectation that his wire, oral, or electronic communications were not subject to interception by the defendants' devices.

10. The defendants' fraudulent representations to Peruto induced him to speak so that they could intercept and permanently digitize the protected oral communications.

11. Defendant Hoo In Kim (Kim) was the IPC employee in Philadelphia, PA to interview Peruto at his office; she intentionally and illegally obtained the recording.

12. Defendant Eli Holzman (Holzman) has provided a sworn statement that "[he] [is] the Chief Executive Officer at IPC Television, LLC (IPC); in [his] role as CEO, [he] oversee[s] all projects produced by IPC, including the #FreeMeek Documentary on behalf of IPC." Holzman statement attached as Exhibit "A."

13. Defendant Holzman's sworn statement admits that he has possession of the illegally obtained recording.

14. Defendant Patrick Reardon (Reardon) is an agent, servant and/or employee of defendant Roc Nation, and has provided a sworn statement that "in [his] role as Executive Vice President, [he] oversee[s] the various creative and logistic aspects relating to the production of the Documentary Series." Reardon statement is attached as Exhibit "B."

15. Defendant Reardon's statement admits that "Roc Nation is producing the Documentary Series with IPC for broadcast and distribution by Amazon."

16. Defendant Reardon's sworn statement admits that he has possession of the illegally obtained recording.

17. Defendant Josh Miller (Miller) is an agent, servant and/or employee of defendant Amazon Alternative, LLC, has provided a sworn statement that IPC is in charge of providing all production services for the Documentary, including the filming and recording of interviews." Miller statement is attached as Exhibit "C."

18. Defendant Miller's sworn statement admits that he has possession of the illegally obtained recording.

19. Defendant Miller's sworn statement admits that Amazon Alternative, LLC is producing the documentary at issue with co-defendants IPC Television, LLC (IPC) and Roc Nation, LLC.

20. The intercepted oral communication is Mr. Peruto's property; this Complaint in Replevin demands that these defendants immediately return this property to him, with sole, temporary possession of digitized audio and/or video of the illegally intercepted oral communication while this lawsuit is pending, and then permanent, sole possession of the digitized audio of the illegally intercepted oral communication upon a final judgment.

21. Mr. Peruto also demands that the defendants permanently destroy all electronic or other files in which the intercepted oral communication exists, and not use these intercepted oral communications for any purposes, including the upcoming Meek Mill documentary series.

22. Therefore, Mr. Peruto brings this Action in Replevin against the defendants, and in support thereof avers as follows:

PARTIES

23. A. Charles Peruto, Jr., is a citizen of the Commonwealth of Pennsylvania, an Attorney, and resides at the identified address.

24. Defendant Hoo In Kim is an adult individual employed by IPC Television, LLC (IPC); Ms. Kim attended and participated in the 30 May 2018 interview and has a service address identified above.

25. Defendant Eli Holzman is an adult individual employed as the Chief Executive Officer by IPC; Mr. Holzman oversees all projects produced by IPC, including the #FreeMeek Documentary and has a service address identified above.

26. Defendant Patrick Reardon is an adult individual employed as Executive Vice President, Television for Roc Nation LLC; Mr. Reardon resides in New York at the identified address, and oversees the various creative and logistic aspects relating to the production of the Documentary Series.

27. Defendant Joshua Miller is an adult individual employed as an unscripted creative executive at Amazon Alternative, LLC; Mr. Miller oversees the creative development of the #FreeMeek Documentary on behalf of Amazon Alternative and has a service address identified above.

28. Defendant IPC Television, LLC (IPC) is in charge of providing all production services for the Documentary, including the filming and recording of interviews, and is the entity that conducted the 30 May 2018 interview at Peruto's Philadelphia office; IPC has a service address identified above.

29. Defendant Amazon Alternative, LLC (Amazon) is a branch of Amazon, is producing the documentary at issue with co-defendants IPC Television, LLC (IPC) and Roc Nation, LLC, and has a service address identified above.

30. Defendant Roc Nation, LLC is an entertainment company with its nerve center in New York, does substantial business in Philadelphia County, litigates in the Eastern District of Pennsylvania, and has an address for service of process identified above.

31. Roc Nation is producing the Documentary Series with IPC for broadcast and distribution by Amazon.

JURISDICTION AND VENUE

32. This Honorable Court has Diversity and Subject Matter Jurisdiction pursuant to 28 U.S.C. §§ 1332. The amount in controversy substantially exceeds the requirement for Federal Diversity Jurisdiction and to guarantee a jury trial, exclusive of interest and costs. The defendants are citizens of states other than the state in which the Plaintiff resides.

33. Jurisdiction and venue are both proper in the United States District Court For The Eastern District of Pennsylvania as the defendants all participated in the Peruto interview in Philadelphia, and intercepted and digitized the off the record discussion in Philadelphia. Further, all of these defendants conduct substantial and continuing business in Philadelphia County as it relates to the “Meek Mill” docu-series.

34. Jurisdiction and venue are further proper in the Eastern District of Pennsylvania as the illegal recording and theft of Peruto’s property occurred in Philadelphia, Pennsylvania, the Roc Nation nerve center is in New York, Reardon

operates out of New York, and the IPC and Amazon Alternative defendants' nerve center is in California.

35. Therefore, that defendant Kim and IPC personnel, on behalf of all defendants, traveled to Philadelphia to illegally, tortuously and maliciously obtain the recording at issue makes it plain that the most convenient and proper location for this lawsuit is in the Eastern District of Pennsylvania.

FACTS

36. As described in the Introduction, this Action in Replevin is brought to recover property rightfully, and solely, owned by Mr. Peruto.

37. On 30 May, 2018, Hoo In Kim, on behalf of IPC and the other defendants, conducted an interview of Mr. Peruto in his Philadelphia office for purposes of the defendants' upcoming Meek Mill Documentary Series.

38. Defendant IPC describes on its website the purpose of the Meek Mill Documentary Series:

Meek Mill Documentary Series Coming 2019 on Amazon

The six-part docu-series is targeted to premiere in 2019. Philadelphia-based rapper Robert Rihmeek Williams was released from jail in 2018 after serving nearly five months for a probation violation — for popping a wheelie in an Instagram video without wearing a helmet.

The docu-series will chronicle Meek Mill's rise to fame and his 10-year battle with Philadelphia justice officials, as well as the larger issue of high incarceration rates for people of color. Jay Z and Roc Nation are producing the untitled project with IPC and documentary filmmaker Isaac Solotaroff.

39. As part of the defendants' preparation for this Documentary Series, they sought, and were granted, an interview with Mr. Peruto.

40. This 30 May 2018 interview was conducted on behalf of all defendants.

41. After the interview was completed, Mr. Peruto instructed the interviewer, believed to be Ms. Kim, to go off the record and to stop recording; she agreed and had the camera turned towards the wall.

42. Unbeknownst to Mr. Peruto, the audio was left on, intercepting the off the record oral conversation and permanently digitizing the illegally intercepted oral communication.

43. The only reason that Mr. Peruto agreed to participate in the off the record discussion was because he withdrew permission and consent to intercept any aspect of the oral communication.

44. Had these defendants informed Mr. Peruto that they were continuing the audio recording, and intercepting the oral communication, he would have ceased the discussion and instructed them to leave.

45. The defendants' fraudulent representations to Mr. Peruto induced him to speak so that they could intercept and permanently digitize the protected oral communications.

46. These intentional misrepresentations resulted in valuable personal property of Mr. Peruto's illegally being acquired by the defendants.

47. These illegally intercepted and digitized oral communications were then edited and leaked to the press so that Mr. Peruto's off the record words would be manipulated against him and his client, Judge Brinkley, and to maliciously further their

own agenda in maximizing the buzz and profitability of the upcoming Meek Mill Documentary Series.

**COUNT I
REPLEVIN**

48. Mr. Peruto incorporates the prior paragraphs as if fully set forth herein.

49. All defendants participated in the 30 May 2018 illegal interception of the off the record digitized communications, and permanently digitized the illegally intercepted communication.

50. The digitized communications are in the wrongful possession of the defendants.

51. The digitized communications are Mr. Peruto's property.

52. Mr. Peruto has an immediate right to the sole and exclusive possession of the digitized communications.

53. All Defendants' continuing wrongful possession of this digital recording has resulted in it being altered and illegally distributed to third parties.

54. Defendants must return all digitized recordings of Mr. Peruto's off the record discussion, destroy any copies they have after returning Mr. Peruto's property to him, and further be prohibited from using any part of it in any way.

55. Mr. Peruto demands sole, temporary possession of digitized, illegally intercepted communications while this lawsuit is pending, and then permanent, sole possession of the digitized recordings of the illegally intercepted communications upon a final judgment.

WHEREFORE, Mr. Peruto demands the following:

- judgment in his favor;
- an immediate return and sole possession of the illegally intercepted and digitized communications while this lawsuit is pending;
- permanent, sole possession of the digitized, intercepted communications upon a final judgment;
- confirmed destruction of all copies of the illegally intercepted, digitized communications in any of the defendants' possession;
- a detailed listing of every third party who the defendants have in any way made available or otherwise provided the illegally intercepted, digitized communication;
- a prohibition against any and all of the defendants from using of any illegally intercepted and digitized recordings in any fashion;
- such other relief as this Honorable Court deems appropriate.

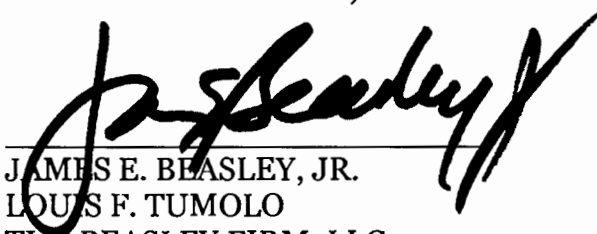
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NOTICE OF PRESERVATION OF EVIDENCE

PLAINTIFF HEREBY DEMANDS AND REQUESTS THAT DEFENDANTS TAKE NECESSARY ACTION TO ENSURE THE PRESERVATION OF ALL DOCUMENTS, COMMUNICATIONS, WHETHER ELECTRONIC OR OTHERWISE, ITEMS AND THINGS IN THE POSSESSION OR CONTROL OF ANY PARTY TO THIS ACTION, OR ANY ENTITY OVER WHICH ANY PARTY TO THIS ACTION HAS CONTROL, OR FROM WHOM ANY PARTY TO THIS ACTION HAS ACCESS TO, ANY DOCUMENTS, ITEMS, OR THINGS WHICH MAY IN ANY MANNER BE RELEVANT TO OR RELATE TO THE SUBJECT MATTER OF THE CAUSES OF ACTION AND/OR THE ALLEGATIONS OF THIS COMPLAINT.

THE BEASLEY FIRM, LLC

BY:



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Attorneys for Plaintiff

Dated: 7 November 2018

EXHIBIT

A

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

A. CHARLES PERUTO, JR.,

Plaintiff,

v.

SIXX DEGREES MEDIA; ROC NATION,
LLC; AMAZON DIGITAL SERVICES, LLC;
AMAZON PRIME VIDEO; and THE IPC
GROUP,

Defendants.

CIVIL ACTION NO. 18-cv-4468-PBT

DECLARATION OF ELI HOLZMAN

I, Eli Holzman, hereby declare, under penalty of perjury, as follows:

1. I am the Chief Executive Officer at IPC Television, LLC ("IPC").
2. IPC is producing a documentary series on Meek Mill with Roc Nation, LLC for broadcast and distribution by Amazon Alternative, LLC ("Amazon") (sued incorrectly as "Amazon Prime Video and Amazon Digital Services, LLC") (hereinafter, the "#FreeMeek Documentary").
3. In this case, plaintiff A. Charles Peruto, Jr. has named "The IPC Group" as a defendant. The IPC Group is not a corporate entity. The correct entity is IPC Television, LLC.
4. IPC's principal place of business is in Los Angeles, California. Its sole member is NEG Operations, Inc. d/b/a Core Media Group, which is incorporated in Delaware and has its principal place of business in Los Angeles, California.
5. Amazon is financing and will be distributing the #FreeMeek Documentary.

6. In my role as CEO, I oversee all projects produced by IPC, including the #FreeMeek Documentary on behalf of IPC.

7. IPC is responsible for providing production services for the #FreeMeek Documentary, including the filming and recording of interviews.

8. IPC has never engaged nor worked with Sixx Degrees Media. Sixx Degrees Media has no role in the #FreeMeek Documentary and has not been involved in any aspect of the #FreeMeek Documentary. Before learning of this lawsuit, I had never heard of Sixx Degrees Media.

9. Upon information and belief, the only people present during the filming and recording of Mr. Peruto's interview on May 30, 2018 were Mr. Peruto and people employed by or working for IPC. No one from Sixx Degrees Media was present at that interview, and no one from Sixx Degrees Media had any involvement in the recording of that interview or any of the other activities that underlie Mr. Peruto's claims in this case.

10. IPC has not shared any recording from Mr. Peruto's interview with Sixx Degrees Media.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: October 31, 2018



Eli Holzman

EXHIBIT

B

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

A. CHARLES PERUTO, JR.,

Plaintiff,

vs.

SIXX DEGREES MEDIA; ROC NATION,
LLC; AMAZON DIGITAL SERVICES,
LLC; AMAZON PRIME VIDEO; AND
THE IPC GROUP,

Defendants.

Civil Action No. 2:18-04468

DECLARATION OF PATRICK REARDON

Patrick Reardon, of full age, hereby certifies and declares as follows based upon my own personal information and knowledge:

1. I am the Executive Vice President, Television for Roc Nation, LLC (“Roc Nation”).
2. I am authorized to execute this affidavit on behalf of Roc Nation and am fully familiar with the facts stated herein.
3. In Paragraph 16 of the Complaint filed by Plaintiff A. Charles Peruto (“Plaintiff”) in this case, Plaintiff states, upon information and belief, that Sixx Degrees Media (“Sixx Degrees”) is working with Roc Nation, Amazon Alternative, LLC (“Amazon”) (sued incorrectly as “Amazon Prime Video and Amazon Digital Services, LLC”) and IPC Television, LLC (sued incorrectly as “The IPC Corporation”) in the filming and production of a documentary series about Robert Rihmeek Williams (professionally known as Meek Mill) (the “Documentary Series”).
4. Roc Nation is producing the Documentary Series with IPC for broadcast and distribution by Amazon.

5. In my role as Executive Vice President, I oversee the various creative and logistic aspects relating to the production of the Documentary Series.

6. To the best of my knowledge, Sixx Degrees has no involvement, and has never had any involvement, in the creation, filming, production or distribution of the Documentary Series.

7. To the best of my knowledge, Sixx Degrees has no involvement with and did not participate in Plaintiff's interview during the filming of the Documentary Series.

8. Neither I nor, to the best of my knowledge, anyone at Roc Nation have provided Sixx Degrees with a copy of the recording from Plaintiff's interview.

I hereby swear that the statements made by me herein are true and correct and I acknowledge that I am subject to the penalties of perjury if any such statements made by me are knowingly false.



PATRICK REARDON

Dated: October 31, 2018

EXHIBIT

C

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

A. CHARLES PERUTO, JR.,

Plaintiff,

v.

SIXX DEGREES MEDIA; ROC NATION,
LLC; AMAZON DIGITAL SERVICES, LLC;
AMAZON PRIME VIDEO; and THE IPC
GROUP,

Defendants.

CIVIL ACTION NO. 18-cv-4468-PBT

DECLARATION OF JOSH MILLER

I, Josh Miller, hereby declare, under penalty of perjury, as follows:

1. I am employed as Unscripted Creative Executive at Amazon Alternative, LLC.
2. Amazon Alternative is producing a documentary series on Meek Mill with IPC Television, LLC ("IPC") and Roc Nation, LLC (hereinafter, the "#FreeMeek Documentary").
3. In this case, plaintiff A. Charles Peruto, Jr. has named as defendants Amazon Prime Video and Amazon Digital Services, LLC. Amazon Prime Video is not a corporate entity, and Amazon Digital Services is not involved in the production of the #FreeMeek Documentary. Only Amazon Alternative is involved in the production.
4. Amazon Alternative's principal place of business is in Santa Monica, California. Its sole member is Amazon Content Services LLC, which has its principal place of business in Seattle, Washington. The sole member of Amazon Content Services is Amazon.com Services, Inc., which is a Delaware corporation with its principal place of business in the state of Washington.

5. Amazon Alternative is financing and will be distributing the #FreeMeek Documentary. Amazon Alternative has creative input and is involved in the creative development of the Documentary.

6. In my role as Unscripted Creative Executive, I oversee the creative development of the #FreeMeek Documentary on behalf of Amazon Alternative. I am Amazon Alternative's principal point of contact for all creative aspects of the Documentary, such as how to tell the story, what scenes to shoot, who to interview, and where interviews will take place.

7. IPC is in charge of providing all production services for the Documentary, including the filming and recording of interviews.

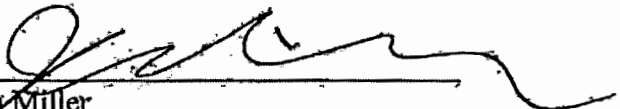
8. Amazon Alternative has never engaged Sixx Degrees Media. Sixx Degrees Media has no role in the #FreeMeek Documentary and has not been involved in any aspect of the #FreeMeek Documentary. Before learning of this lawsuit, I had never heard of Sixx Degrees Media.

9. To the best of my knowledge, the only people present during the filming and recording of Mr. Peruto's interview on May 30, 2018 were people engaged by IPC. To the best of my knowledge, no one from Sixx Degrees Media was present at that interview, and no one from Sixx Degrees Media had any involvement in the recording of that interview or any of the other activities that underlie Mr. Peruto's claims in this case.

10. I have not shared any recording from Mr. Peruto's interview with Sixx Degrees Media.

Pursuant to 28 U.S.C. § 1746, I declare under the penalty of perjury that the foregoing statements are true and correct to the best of my knowledge, information, and belief.

Dated: October 31, 2018


Josh Miller